

Remarks

Claims 1, 6, 11 and 16 are amended herein. Claims 1-16 are pending in the Application.

Rejection under 35 USC 112

Claims 1-16

In the Office Action, the Examiner rejected Claims 1-16 under 35 USC 112, first paragraph, as failing to comply with the written description requirement. The Examiner has stated that the feature determining a delay offset "without requiring a measurement of a boundary delineating the individual bits of data" cannot be found described in the specification, as filed.

Applicant has amended Claims 1, 6, 11 and 16 to remove the feature "without requiring a measurement of a boundary delineating the individual bits of data." Therefore, Applicant respectfully states the rejection under 35 USC 112 first paragraph with respect to Independent Claims 1, 6, 11 and 16 is moot. Moreover, Applicant respectfully states that Claims 2-5, 7-10, 34 and 12-15 are dependent on Independent Claims 1, 6 and 11 and recite further features of the Claimed invention. Therefore, Claims 1-16 overcome the rejection under 35 USC 112 first paragraph.

Applicant respectfully states that Claims 1-16 are now in condition for allowance.

Rejection under 35 USC 112

Claims 1-16

In the Office Action, the Examiner rejected Claims 1-16 under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. The Examiner has stated that the feature "any individual bits of data" is indefinite because the term "data" is ambiguous.

Applicant has amended Claims 1, 6, 11 and 16 to remove the feature “individual bits of data.” Therefore, Applicant respectfully states the rejection under 35 USC 112 first paragraph with respect to Independent Claims 1, 6, 11 and 16 is moot. Moreover, Applicant respectfully states that Claims 2-5, 7-10, 34 and 12-15 are dependent on Independent Claims 1, 6 and 11 and recite further features of the Claimed invention. Therefore, Claims 1-16 also overcome the rejection under 35 USC 112 second paragraph.

Applicant respectfully states that Claims 1-16 are now in condition for allowance.

Rejection under 102(e)

Claims 1-16

In the Office Action, the Examiner rejected Claims 1-16 under 35 USC 102(e) as being anticipated by Taussig (6,636,467). Applicant has reviewed Taussig and respectfully states that Taussig does not anticipate the present invention for the following rationale.

Applicant respectfully states that Claims 1, 6, 11 and 16 include the feature “such that an appropriate delay offset is calculated utilizing only said wobble reference signal, said read clock of previously recorded data and said test data.” Support for the Claimed feature can be found throughout the Figures and Specification including Figures 2 and 3 and the descriptions thereof.

Applicant respectfully disagrees that Taussig anticipates the feature of Claims 1, 6, 11 and 16. Applicant understands Taussig to teach a method for determining a delay offset by utilizing a four-measurement method (emphasis added). That is, Applicant understands Taussig to teach finding the delay offset by measuring t<sub>0</sub>-the beginning of the data sequence (e.g., head passes address marker 630), t<sub>1</sub>-the change in oscillating signal (wobble), t<sub>2</sub>-the beginning of the

data sequence (e.g., head passes the beginning of the data sequence 640), and  
t<sub>3</sub>-the data channel senses the beginning of the first bit and begins to output an  
oscillating signal. Therefore, Applicant understands the equation utilized by  
Taussig to be stated as measured offset 655  $(t_3-t_1)=(t_2-t_0)+(t_3-t_2)-(t_1-t_0)$ .

While Applicant understands the teachings of Taussig to be an effective and valuable method for measuring offset, Applicant does not understand Taussig to anticipate the method for performing the same measurement using three reference signals instead of using four reference signals. That is, the present Claimed features clearly reduce the size of the equation by one term. Moreover, as is clearly stated in the Claim features of Claims 1, 6, 11 and 16, Taussig does not anticipate the utilization of the wobble reference as the starting point for the measuring process. Instead, Applicant understands Taussig to clearly show that the measuring begins at the known point of address marker 630.

For example, the equation of the present invention utilizes three variables: twb-the wobble reference signal, tro-the read clock from the old (previously recorded) data, and trn-the read clock from the newly written data (the test data). As is stated in the Claims, the equation for the measured offset **dtw** is then calculated using the three-term equation  $(trn-tro)=(twb-tro)-(twb-trn)$ . This is clearly supported in Figure 2 and the Specification of the present Application.

Therefore, Applicant respectfully submits that Taussig does not anticipate the present claimed invention as recited in Claims 1, 6 11 and 16, and as such, Claims 1, 6, 11 and 16 are in condition for allowance. Accordingly, Applicant also respectfully submits that Taussig does not anticipate the present claimed invention as recited in Claims 2-5 which are dependent on an allowable Independent Claim 1, Claims 7-10 which are dependent on an allowable Independent Claim 6, and Claims 12-15 which are dependent on an allowable Independent Claim 11, and that Claims 2-5, 7-10 and 12-15 recite further

features of the present claimed invention. Therefore, Applicant respectfully states that Claims 2-5, 7-10 and 12-15 are allowable as pending from allowable base Claims.

Conclusion

In light of the above amendments and remarks, Applicant respectfully requests allowance of Claims 1-16.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Respectfully submitted,  
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